

Serial No. 10/602,414
PC25218

REMARKS

I. Status of the Application

This paper responds to a restriction and election requirement mailed June 23, 2006.

II. Time for Reply

This paper responds to a restriction and election of species requirement, which was mailed on June 12, 2006. The Office Action did not set a shortened statutory period for reply from the mailing date. Applicant respectfully submits the response within 1-month of the Office Action. Applicant is filing this paper on July 12, 2006.

III. Restriction and Election of Species with Traverse

As noted above, in response to the Examiner's restriction and election of species requirement, Applicant provisionally elects, with traverse, invention of Group 1, which is drawn to a method of treating attention deficit hyperactivity disorder (ADHD), with a substituted gamma-butyric acid, and further provisionally elects, with traverse, pregabalin as the species. Claims 1, 4, and 5 read on the said elections.

Applicant respectfully submits that the restriction requirement and the election of species requirement are unwarranted since there is only one indication (ADHD) claimed and the compounds, the use of which for the treatment of ADHD claimed, are all $\alpha_2\delta$ ligands. Thus, the underlying feature and unity of the invention is the use of an $\alpha_2\delta$ ligand to treat ADHD. As such, a search of the claimed method would be limited to the recited $\alpha_2\delta$ ligands for the treatment of ADHD, which would significantly reduce the scope and complexity of the search. Applicant respectfully submits that the search and subsequent examination of Groups I to VIII would not be overly burdensome to the Patent Examiner and that, therefore, examination of the entire application is proper.

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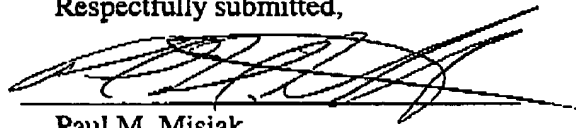
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IV. Conclusion

Applicant respectfully submits that all pending claims are patentable over the references of record, and requests that the claims be allowed to issue. If the Examiner has any questions, Applicant requests that the Examiner telephone the undersigned.

Applicant believes that no fees are due with respect to the filing of this paper. However, if any fees are required in connection with the filing of this paper, please charge deposit account number 23-0455.

Respectfully submitted,



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